

The Sydney Morning Herald.

No. 5718 — VOL. XXXVII.

MONDAY, SEPTEMBER 22, 1856.

PRICE SIXPENCE.

BIRTHS.

On the 18th instant, at her residence, Merry Vale, Lane Cove, the wife of Mr. Robert Prebble, jun., of a son.
On Saturday, the 20th instant, at her residence, Macquarie-street, Parramatta, the wife of the Rev. Thomas Adams, of a son.
On the 1st instant, at her residence, Lower George-street, Mrs. James O'Neill, of a son.

MARRIAGE.

By mutual consent, at the Roman Catholic Church, Dulwich, on Saturday, the 18th instant, the Rev. Mr. W. W. White, of Hertford, Essex, Esq., of Cavan, Murrumbidgee, third son of George Croke, Esq., of Cavan, Murrumbidgee, to Mary, eldest daughter of John Gillies, Esq., of Murrumbidgee, Wilts.

DEATHS.

At London, on the 17th May, Captain William J. H. Charters, R.N.C., son of George Charters, Esq., late of Alnwick, Dumfriesshire.

SHIP ADVERTISEMENTS.

FOR TONGA, LIFUKA, and NAVIGATORS' ISLANDS.—The first-class schooner ARIEL, Captain M'LEOD, will sail on SATURDAY, 22nd September, for Tonga, with a cargo of freight, applied to the Captain, at the Grafton Wharf; or to JAMES MALCOLM and CO.

SHIP ADVERTISEMENTS.

FOR CALLAO.—The fine 41st sailing ship SEA KING, 696 tons register, Captain DAVID FORMAN, will shortly despatch, having employed cabin accommodation, after the most careful examination to suit those for any part of the West Coast of America, and for those proceeding to Europa or the United States, via Panama. If sufficient indentures offered, will take light freight. Apply to Captain FORMAN, on board, Circular Quay; or to BRIERLEY, DEAN, and CO., 178, George-street.

FOR MAURITIUS direct, the 41st sailing ship THE MARY ANN, Captain DAVID BRIERLEY, 250 tons burthen, JOHN MORRIS, commander, at Campbell's Wharf, will be shortly despatched for Port Louis; offers an eligible opportunity for the conveyance of specie.

For freight or passage apply to HENRY FISHER, 25, Lower George-street.

MANLY BEACH.—TO-MORROW, (Tuesday,) Phoenix Wharf, at 10 a.m. and 2 p.m., Manly, noon and 5 p.m.; calling at Woolloomooloo Bay.

PARAHAMPTON STEAMPACKETS.—Summer Ar- ticles, &c., &c., Trips.—Production of Fares.

These swift packet trips as follows:

From PARAHAMPTON. From SYDNEY.

7 a.m., 8 a.m. (express) 9 a.m., 1 p.m., 4 p.m., and 6 p.m.

11 a.m., 12 p.m., 1 p.m., and 6 p.m.

On SUNDAY.

From PARAHAMPTON. From SYDNEY, 9 a.m., and 4 p.m.

The 8 o'clock packet will take no freight, and call at Hovey's Wharf, involving a delay of not more than two hours, and passengers will make up by land in

Erskine-street before 9:30 a.m.

FARES.

Kissing Point, Cabin, 2s. 6d.; Steerage, 1s. 6d.

The public are respectfully informed that there is no charge for the omnibus conveyances in connection with the steamers.

KRISBANE WATER.—THIS DAY AND FRIDAY, AT 8 a.m., after which the BLACK SWAN, will discontinue her trips.

STEAM TO WOLLONGONG, KIAMA, AND SHOALHAVEN.—THE VICTORIA, THIS NIGHT, at 11 o'clock.

Cabin—Wollongong or Kiama... 7s. 6d.

Steerage—Wollongong or Kiama... 5s. 0d.

Return tickets available by the ILLAWARRA, and NORA CREINA.

CTEAM TO WOLLONGONG AND KIAMA.—The KIAMA Steam Navigation Company's new steamer, KIAMA, leaves the Victoria Wharf, foot of Pitt-street, for the above ports, at 12 o'clock, 25th September, and Wollongong at 2 o'clock p.m. on MONDAYS and THURSDAYS.

Fare—Sydney to Wollongong, CABIN, 7s. 6d.

STEERAGE, Cabin, 5s. 0d.; return tickets, 3s. 6d.

Between Wollongong and Kiama, cabin, 5s.; steerage, 3s. 6d.

Freight to Kiama and Wollongong at the reduced rates

STEAM TO THE HUNTER.—THE WILLIAMS or MOHRETH, THIS EVENING, at 11 o'clock.

STEAM TO TILMOUTH F. DYE, manager, at 11 o'clock p.m., returning from Kiama at 12 o'clock, noon, and Wollongong at 2 o'clock p.m. on MONDAYS and THURSDAYS.

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ment. The jury then immediately acquitted the prisoner, and he was discharged.

At the conclusion of that day's proceedings, his Honor addressed the members of the Western Bench, and paid a high compliment upon the business and attention and attendance of the Bathurst jurymen. The business had been most promptly attended to, and the Court had never been kept waiting.

THE CONDITION AND PROSPECTS OF ITALY.

The present state of the continent of Europe, which may, without any figure of speech, be termed a vast prison-house to the world, is, in my view, the condition of Italy, which counts, at the present day, is without a parallel in modern history. Having travelled through the land during the moment of greatest excitement and revolutions, and long mingled with the people, observed their peculiarities, and therefore able to give my reader an idea of their social, political and religious condition. Italy, so long beyond despotism, we find an enthusiastic people, year after year lavishingly sacrificing both property and life in their endeavours to obtain the blessing of those free institutions which their volatile neighbours, the French, have cast from them as useless—a people who, notwithstanding they were suffering from the combined evils of despotism, classing iniquity, and the want of a national government, should be overthrown in Piedmont, and its gallant monarch be compelled by force of circumstances to adopt a retrograde form of administration, the event, I am firmly persuaded, would only complicate still more the affairs of Italy, by hastening a Republican movement, far more dangerous to the interests of the Government, and to the peace and quiet of the country. The Government, and the king of Sardinia, and the people of the world, therefore, I think that the question of Italy deserves more than ordinary attention, especially at the present moment, when a member of that ill-fated family—Bonaparte, rules with despotic sway 35 millions of men, whose passion is military glory—the dream of every Frenchman.

In every point of view, the deplorable state of Italy is a disgrace to the enlightenment of our age, and, politically speaking, reflects but little credit on the policy of the Cabinet of Europe. The effect is to keep twenty-four millions of human beings in a constant state of revolutionary ferment; who, desperate from want of hope and seeing themselves the victims of a cruel power, would unite to join Louis Philippe or any other despot, in the view of Aristide Tocqueville. It is this:—Never had all this apparent opposition to the cause of freedom, and nobly attest the self-sacrificing patriotism of the Italian people. How great will be the contrast, how humiliating to a nation, when the future historian shall depict the French people of the nineteenth century as the most determined enemies of freedom, as having used the sword to re-establish despotism, the most intolerant, the most despotic, the most debasing; and which seeks to crush not only physical energy, but intellectual power, and would gladly enslave the whole human race.

HUNGARIAN OFFICER.

INDIA.

We have papers to the 19th of June, being for thirteen days later than previous advices.

The Bengal *Harkara* of the 18th says:—

"The King, his brother, heir, and a hundred followers start this day for England in the boat of the vessel for a payment of Rs. 80,000. The King himself remains at Tigragur. According to the Englishman the Heir Apparent has 'charge of the Crown and Scutell,' which he intends to lay at the feet of the King."—Ovidius, the King's advisers think that Oe will be his successor, after a scene, in which Miras Ali Shah is to meet the Pragdip Saz, and Qutbun Victoria the forgiving parent.

The same paper states that the train which left Howrah on the morning of the 18th brought nearly five thousand passengers to Bengal. The number would have been still greater, but there were no means of conveyance. The boat of the vessel of the same festival, the number was only half a dozen.

Some statistics of the native Press in the north-west provinces, and the Punjab, are thus analyzed by the *Harkara*:—In 1854 there were thirty-seven presses and thirty-three newspapers in those provinces. The total population of the journals was only 2210. The most popular journal was the *Koh-i-Noor*, edited by Harkara, which has 10,000 subscribers. The presses issued also 307 books in the same year. The figures show a slight increase upon the former year.

The Governor-General had appointed the 20th of July to be observed as a day of public thanksgiving for the return of peace.

The Englishman reports that a legal journal is about to make its appearance in Calcutta. It will contain all cases of interest, or which involve points of law, accompanied by editorial comments. It will be in fact an Indian *Law Times*.

A correspondent of the *Harkara* says of the Sonthals:—In my neighbourhood they are neither builders nor hewers, neither agriculturists, and when asked why do they do not work, they reply, "What use is that?"

We have not had notice from our Sonthals that we shall be required next month, and so we must wait.

If the Sonthals rise it must be almost immediately.

Another week or two will decide the question.

A bill has been introduced by Mr. Currie into the Council, for the appointment of the Conservancy Committee, and the Elective system.

The Elective system is to be abandoned. The Government will nominate twelve Commissioners, who again will nominate a working sub-committee. The Commissioners will be appointed for three years.

The rate of assessment is to be increased from 5 to 7½ per cent., and a tax imposed on carriages and horses.

Introducing the bill, Mr. Currie says:—

"It has taken nine years to rid us of the absurdities of an elective not desired by the population. The proposed change is sound in principle, but we question whether it will work. Men of business in Calcutta are not very willing to accept unpaid appointments.

A single Commissioner, or Warden, well paid, and held strictly responsible, would, we believe, be found to be a better guarantee for the public service.

The Bhamby journals complain that no notice whatever is taken in the land of the Queen's birthday, and when every party celebrates deeply, whose laws are the blind, the royal salutes. The Governor gives no entertainment, and a festive keep for a hundred and fifty years in the land has in fact discontinued.

The *Harkara* for the third session of the Supreme Court of Calcutta, gives the name of fifty-three prisoners. Of these no less than thirty-eight Europeans, of whom six are charged with stealing, one with aggravated assault, and another with harbouring a prisoner accused of theft.

Colonel J. Jacob has struck a heavy blow at Sind:—

"Much has been said to arise from the practice of police officers in perpetrating means inducing prisoners to confess crimes which they may be charged, this practice has been strictly prohibited throughout Sind. Police officers and men are directed not only never to make use of force or threats to obtain, but are never to demand confessions of petty offenders or real criminals, and to prevent the possibility of misrepresentation, officers and men are prohibited from even receiving any confessions. Whenever any person is apprehended on any charge, or on suspicion, the policeman apprehending him is to inform him of the charge on which he is apprehended, and should the person express to the police officer a wish to confess, the police should at once take him before a deputy magistrate or other officer, estrusted with the criminal jurisdiction as a Kardar, whose duty it will be to receive or to record the confession, and to communicate it to us. Could the politicians of the Union canvassed, we fear we should find a determination to push things to an extremity with this country and to get every possible advantage out of our loss or disgrace. With this sentiment we can have no sympathy. It is simply abominable that what we have to say to these people is to tell them that they are not better than the abettors of revolution, which is always represented as friendly to us. Could the politicians of the Union canvassed, we fear we should find a determination to push things to an extremity with this country and to get every possible advantage out of our loss or disgrace. With this sentiment we can have no sympathy. It is simply abominable that what we have to say to these people is to tell them that they are not better than the abettors of revolution, which is always represented as friendly to us. 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ret Morgan, housemaid in the establishment of Farmer, Williams, and Giles, remembered owing the bill produced to a poor man, and that the bill was given to him, but could not positively swear to his identity. [The prisoner admitted to the apprehending constable that he had received the money mentioned in the warrant.] Committed for trial at the Quarter Sessions.

The Report.—The following is a copy of the roster for the week:—Monday (to-day), September 22, Mr. Blaxome and Mr. Barker; Tuesday, 23, Mr. Botts and Mr. Bradley; Wednesday, 24, Mr. Broughton and Mr. Burnell; Thursday, 25, Mr. J. Campbell and Mr. Darley; Friday, 26, Mr. Conradi and Mr. Deloite.

WATER POLICE COURT.

SATURDAY.

Before the Water Police Magistrate. John Leman, a man of unsound mind, was committed to gaol for one month for medical treatment. Alexander G. Bass, Payne, and William H. Bass, convicted of drunkenness, were ordered to pay a fine of £20, or be imprisoned for twenty-four hours.

John Taylor and William Johnson, for desertion from their ship the Rob Roy, were sent to gaol for six weeks.

The Report.—The following justices have been requested to attend at this Court during the ensuing week:—Monday, 22d September, Messrs. Bass and Ronald; Tuesday, September 23, Messrs. Ross and Hartray; Wednesday, September 24, Messrs. L. and S. Samuel; Thursday, September 25, Messrs. Thornton and Towns; Friday, September 26, Messrs. Thorne and Wishire.

WEEKLY EPITOME.

The New Ministry took the oaths and their seats on Tuesday last, and one of the first notices put on the paper was a proposed vote of censure. On Wednesday Mr. Macleay introduced a motion to the House to adjourn to observe it, and it was carried. The motives which had induced him to adopt that course; but he believed it would be a saving of public time to at once bring to issue, whether the Copper Ministry possessed the confidence of the House or not.

Mr. Martin followed Mr. Hay in a speech remarkable for its vehemence—delivered under the influence of very strong drink. In his speech he directed his fire specially against him; he asserted that he attacked the leading Members of the Opposition, for having sent him cards of invitation, and treated him on terms of equality, and then, as he thought, joined in an attempt to injure his reputation; and concluded his speech by appealing to the new members on the cross-benches to stand by him. Whatever effect the exertion of Mr. Martin's address had, it was not on that portion of the House which he more particularly addressed, was somewhat deteriorated by Mr. Flood, who, after Mr. Martin had resumed his seat, rose, and taking him by the hand said, in a voice something like that of a schoolboy who had reached the courageous state of recovery after a thrashing—I hope to see you again, on the morrow, in the House, on your magnificient address! On Thursday Mr. Donaldson addressed the House, attacking the proposed new system of taxation, emanating from the Ministry. The hon. member's speech was characterized by undue flippancy in many parts, somewhat beneath the importance of the question at issue. Mr. Plunkett moved, Mr. Donaldson, in a formal speech, explanatory of the course he had taken with reference to his interview with the members of the present administration, prior to its formation, and defended the proceedings of the Bar with regard to the petition presented by it to the Governor, on the appointment of Mr. James Martin to the office of Attorney-General. It was necessary to state fully the interests of the Bench and the Bar.—The properties (said Mr. Plunkett,) and liberty—e'en the lives of the people, were within the keeping of the Bench, and unless they had been appointed as Judges, who were in every way qualified for the office, men in whose learning, integrity, ability, and dignity they could rejoice, and who had been appointed as such, the constitutional freedom had vanished! Mr. Foster dilated more on the late Ministry having taken office unconstitutionally, on the fitness of the present Ministry to hold office, at the same time remarking that Mr. Murray's allusion to Mr. Hay, as a tyro, was in exceeding bad taste. And here he, as well as the other members of the Bench, and the majority of the members of the Bar, were in entire agreement.

Mr. Foster concluded with a remark to the effect that the late Ministry had left behind them nothing but the venomous snakes which had been crushed; they had left behind them nothing but caddish pestilence! What comparisons! The venom of a snake terminating in childish petulance. Mr. George Macleay responded to Mr. Foster, defending Mr. Hay from the accusation that he was the tool of a party. He thought also, that men as well as measures, should not be condemned. He said, that if Mr. Foster had not, he might have taken advantage of good measures to thrust them into power to the ruin of the Constitution. Mr. Piddington thought the motion of Mr. Hay was impudent in its nature, and abstract in its character; he (Mr. P.) had come to the House to have his ignorance enlightened, but it was a fact, that he had not done so. Mr. Piddington, as he believed, that no one should have the office of Attorney-General who had at any time made a declaration, although he did not believe that Mr. Martin's declaration at the Bar, "I am innocent," was in exceeding bad taste. And here he, as well as the other members of the Bench, and the majority of the members of the Bar, were in entire agreement.

BRANCH RAILWAY.—We understand that certain proprietors of coal-fields near the head of Four Mile Creek proposed running a line of railway through their property down to the Newcastle and Maitland line, at a moderate charge, as allowed to the proprietors of this scheme, there is little doubt, the undertaking will prove highly productive to its originators. An extension of the branch line might hereafter be made beyond the Four Mile Creek into the agricultural districts of Brook's Flat and the Sugarloaf.

ARMED ROBBERY.—A man named Lewis on Friday night reported to the police that he had been assaulted and robbed of £75 in bank-notes, and described a man as one of three concerned in the affair. The accused was on Saturday brought before the bench, but the evidence (prosecutor admitting that he was under the influence of liquor at the time of the offence) did not sustain a similar character as it was thought would justify a conviction.

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The accused was on Saturday brought before the bench, but the evidence (prosecutor admitting that he was under the influence of liquor at the time of the offence) did not sustain a similar character as it was thought would justify a conviction.

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SALES BY AUCTION

Household Furniture, Spring Cart, Cooking Apparatus, &c. THE MESSRS. MOORE will sell by auction, at the Mart, Labour Bazaar, Pitt-street, THIS DAY, at 11 o'clock. Mahogany Ice-tables Wardrobe. Chests. Horsehair & cane chairs. Iron and wood bedsteads, and bedding. Metal safe, iron stretchers, washstands. Kitchen dressers, American chairs, looking-glasses, &c. Kitchen utensils, &c. First-rate spring carts. American cooking apparatus. Panel doors, wind-washes, &c. Terms at sale.

Mr. S. WOOLLETT will sell by auction, at the Bull's Head Horse Repository, THIS DAY, at 11 o'clock.

25 head of horses and mares, just arrived from Maidstone, all broken in to saddle and harness; among them are some good cart and gig horses, and others suitable for various purposes, and will be sold subject to terms at sale.

Mr. S. WOOLLETT will sell by auction, at the Bull's Head Horse Repository, THIS DAY, at 11 o'clock.

1 brown cart horse, warranted to pull a ton up any hill 1 bay horse, good in saddle or gig

1 grey horse, broken, 5 years old, good in gig or cart, warranted to pull a ton up any hill 2 bay ponies, very quiet to ride

1 stock horse, with saddle, &c. Terms at sale.

Mr. S. WOOLLETT will sell by auction, at the Bull's Head Horse Repository, THIS DAY, at 11 o'clock.

One light omnibus 2 spring chaise carts, new

2 bay horses, dray, & one truck

Gig, decorated, &c. Saddle, harness, &c. Saddles, whips, cork beds, &c. Terms at sale.

Important to Boot and Shoe Makers, Country Buyers & Shippers, and others.

Boots and Shoes, from the first-class London and Northampton Houses of Bostock and Co. and Davies

Messrs. W. DEAN and CO. have received

instructions from the importers to sell by auction, at the Australian Auction Mart, Pitt-street & O'Connell streets, THIS DAY, 22nd September, at half-past 10 o'clock.

43 packages of new, reasonable, and well-assorted boots and shoes, from the above-mentioned houses; comprising—

Gents' patent calf dress Wellingtons

2 ditto ditto ditto

THREE DAYS LATER NEWS FROM ENGLAND.

THE Wonga Woaga (s.) from Melbourne arrived this morning at half-past two, bringing up the mails by the Saldanha of 5th June, and Morning Light of 5th July. The following we take from the *Argus* of Thursday.

LATEST TELEGRAPHIC DESPATCHES.

Berlin, July 3.—The visit of the Prince of Prussia (the father of Prince Frederick William) to England is fully confirmed, and will probably take place next week.

His Consort and his daughter, the Princess Louise, will accompany him.

He will invite the Queen, Prince Albert, and the Prince of Wales to come to Bork in September, to be present at the marriage of the Princess Louise to the Prince Regent of Hanover.

It is said to be known here that the invitation will be accepted.

The Russian Government seems inclined to modify its Customs tariff, particularly as regards its raw products employed by foreign manufacturers.

Paris, July 3.

The clerical journals of Turin assert that France has addressed a note to Sardinia counselling moderation on the Italian question.

A note has been transmitted to Turin, but it is almost identical with Lord Clarendon's, acknowledging the representations made by Count Cavour at the Congress of Paris.

The Corps Legislatif has voted, by 185 against 26, the law for the abolition of the daughters of the Empire. The session closed with cries of "Vive l'Empereur." The Customs Law is postponed to next session.

The Emperor Napoleon suffers much from rheumatism. He has telegraphed for the famous Dr. Bretonneau, of Tours, from whose counsel he derived such comfort when he was President of the Republic.

A Paris journal says that the reply of the King of Naples to the Government of France and England has already been dispatched, and that it is of an unusual nature.

The *Journal de l'Europe* says—"We have received from Rome an important piece of intelligence. We learn that the Holy Father is preparing a general amnesty in favour of political offenders. That amnesty will be proclaimed on the occasion of the Feast of St. Peter. The reform so ardently desired by the population of the State of the Church will be published about the same time."

GENERAL SUMMARY OF LATEST INTELLIGENCE.

The new Under-Secretary of State for Foreign Affairs is the Earl of Carnarvon, an unknown nobleman.

He takes the place of Lord Wodehouse, the new Minister to St. Petersburg.

Lord Shelburne is also to be raised to the peerage, and General Williams is to be appointed in his stead as representative of Calcutta. All this is nicely arranged.

We stated yesterday that Parliament might possibly be prorogued on the 30th of this present month, but Ministers are anxious that they should be made free from Parliament as soon as possible.

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show satisfactorily that his conduct was not a piece of mere avarice and instant bravado; but, at any rate, it is a pity his "forethought and presence of mind" did not suggest to him the very obvious "precaution" of going dressed like his neighbours.

THE PROTEST OF THE COUNT DE PARIS.

Two letters and telegraphic messages of our Paris correspondent have mentioned a protest of the Count de Paris in opposition to the Fusiliers sections of a portion of the Orleans family and the partisans of the Count de Chambord. The impossibility of making a dynasty out of that accident of the moment, Louis Philippe was never so clearly evinced, perhaps, as by the following letter from the heir of "my grandfather":—

The Count de Chambord embodies the heraldry of King Louis Philippe III represents the world-old phase of the chivalry of the people assuming an hereditary form; the Orleans family, the Louis Quatorze profligate trafficker in blood, money, virtue, and justice, which by the accident of becoming the head of a great nation, to be cast at the very instant that nation shook its limbs. The Orleans de Chambord subsists on a tradition; the Orleans de Chambord, as they were, as a reminiscence, the last ray of those fading lights, the reminiscence of which has already appeared in our telegraphic intelligence, is the following letter from the Count de Paris to M. Roger (Dord):—

"My dear M. Roger.—During my exile I have always had my eyes turned towards France. Were I capable of doing so, my mother would not allow me to forget the name of the man who preserved their affection for our family. You are the only man who has particularly taught me to love and esteem.

I am happy to have an opportunity of expressing my sentiments to you. I do not know what the future has in store for me. I hope, and I wait, ready to devote myself to the cause which France thinks that she has.

For some time past a reconciliation has existed between the members of the two branches of my family. I visit my grandmother, my mother, my cousin, the Count of Chambord, who has produced a great sensation. It was even reported that something had been said about abandoning the tricolor flag, which represents the principles of 1789, and which recalls the memory of our most glorious deeds. I think it right to inform you that my mother, my brother, and myself have remained strangers to all that has been done. It belongs to France to choose. The day of that will be the day when I shall have the right to make known my principles and my views. In the meantime I am bound to inform some devoted friends, such as you, but only for yourself, that I have been informed of what has passed in our family only by my uncle, the Duke of Nemours, and that if I do not dare myself, it is because my age does not permit me to do so.

I have only one object in view, and that is to conceal the truth from her eyes. The nation ought not to counsel anything but her affections and her interest, on which nearly seventy years of political existence must have enlightened her.

The jury returned a verdict for the plaintiff—Damages, £25.

COURT OF COMMON PLEAS.—MAY 10.

SITTINGS AT *Nisi Prius*, at Westminster, before Mr. Justice Willes.

HATHMAD V. WITT.

This was an action for slander, brought by the plaintiff, who had been cook to the defendant, a gentleman of property, residing in Prince's-terrace, Hyde-park.

The defendant pleaded the general issue.

Mr. Sergeant Byles and Mr. Pearce were counsel for the plaintiff, and Mr. Overend, Q.C., and Mr. Tindall Atkinson for the defendant.

The plaintiff's case was that she had been in the defendant's service for some time, and had been treated as a confidential servant until, as she alleged, she and a manservant named Manby, discovered undue familiarity between the defendant and the housemaid, upon which the defendant's manner towards her suddenly changed, and they both received a monthly notice to quit. Defendant's case was that she subsequently inquired the cause of their dismissal, to which the defendant replied, "You have been robbing me to a great extent, and so has Eastmed." Subsequently the defendant said to the plaintiff herself, "Oh, Eastmed, Manby says you wish to know the price of what accused you of. You have both taken out of the house, and wine and potatoes, and I have given you of it. These were the slanders for which compensation was demanded in the present action.

The plaintiff and Manby having given their evidence.

Mr. Overend submitted that there was no evidence of malice, and that the words spoken were consequently privileged.

Mr. Pearce replied that he thought there was no evidence of malice, but as one of the communications made respecting the plaintiff had been made in her absence to her fellow-servant, he should rule that such a statement was not privileged, and give the defendant the opportunity of taking the opinion of the Court upon that subject.

Mr. Overend then addressed the jury for the defendant, contending that the plaintiff and Manby's statements respecting the defendant were untrue since their dismissal for the purposes of the action.

Mr. Justice Willes having left it to the jury to say what damages the plaintiff was entitled to for the slanders words spoken of her to Manby.

The jury returned a verdict for the plaintiff—Damages, £25.

MARY V. WITT.

This was an action of slander by the fellow-servant of the plaintiff in the last case against the same defendant.

Mr. Sergeant Byles, in stating the case, said that he had been taken by surprise by the defence set up in the last case that the communication was privileged, and he should now disprove any such suggestion by charging direct malice to the defendant, and proving by the evidence of the plaintiff that she had been treated as a confidential servant by the defendant, not because the defendant believed so plaintiff had been guilty of theft, but in order that the plaintiff might not remain in his house to bear testimony to the defendant's misconduct towards one of his female servants. The learned sergeant then called the plaintiff, who, in addition to the proof of the slanderous words alleged in the declaration, gave an account of what had been done by the defendant, not because the defendant believed so plaintiff had been guilty of theft, but in order that the plaintiff might not remain in his house to bear testimony to the defendant's misconduct towards one of his female servants. 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